

Republic of Kenya



**MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES
STATE DEPARTMENT FOR FISHERIES AND THE BLUE ECONOMY**

**TERMS OF REFERENCE FOR
PROCUREMENTSPECIALIST**

NAME	
Job Title: Procurement Specialist	
Department: State Department for Fisheries and the Blue Economy	
Project Name: Kenya Marine Fisheries and Socio Economic Development Project (KEMFSED)	
Location: Nairobi	
Expected Start Date of Assignment January 2018	Duration: One (1) Year
Reports to: Name: Susan Imende	Title: PPATeam Leader

BACKGROUND:

On May 2, 2016, in the Executive Order No. 1/2016, the Government of Kenya made a clear commitment towards a new approach, the blue economy, and taking into cognizance the importance of the sector to fuel the country's economic growth, created the State Department for Fisheries and the Blue Economy. The coastal and marine space on which a blue economy is potentially founded contains a myriad of different uses, some currently destructive or unsustainable, while others are renewable, some mutually exclusive and others compatible. More broadly, a blue economy approach is understood as encompassing a better integrated approach to these sometimes-conflicting uses of marine resources, living and non-living (including shipping, fossil energy and mining), and renewable or exhaustive. Too often, priority tends to be given to activities that generate short-term benefits but also have destructive and counter-productive longer-term consequences. In contrast, a blue economy approach is more proactive and embodies the need to focus on longer term sustainability. The Presidential Blue Economy Committee established in September 2016, while recognizing the many sectors in blue economy prioritized fisheries and aquaculture; and maritime shipping and logistic services as priority sectors that would deliver fast socio-economic benefits to the communities in the coastal areas. To strengthen fisheries governance for sustainable utilization and enhanced revenues for the government and employment creation, the government enacted the Fisheries Management and Development Act 2016 in September, 2016. The Act established institutions that would strengthen the governance of the fishing industry and aquaculture, and enable investments along the fishery value chains for socio-economic benefits. The institutions established include the Kenya Fisheries Service, Kenya Fish Marketing Authority and the Fish Levy Trust Fund.

To attain economic benefits from the coastal and marine resources, the Government of Kenya (GoK) through the State Department for Fisheries and the Blue Economy (SDF&BE) has requested the World Bank to support the proposed Kenya Marine Fisheries and Socio-Economic Development Project (KEMFSED).

The Government of Kenya has received Project Preparation Advance from the World Bank towards the Kenya Marine Fisheries and Socioeconomic Development Project (KEMFSED). The KEMFSED project covers a period of 5 years. The development project overall goal is to enhance economic benefits and coastal livelihoods from marine fisheries and coastal aquaculture while safeguarding associated ecosystems' integrity. The implementing agency will be the State Department for Fisheries & the Blue Economy (SDF-BE) on behalf of the Government of Kenya. In Kenya, 5 counties along the Coast have been selected to be beneficiaries for the project namely Kwale, Mombasa, Kilifi, Tana River and Lamu.

PROJECT COMPONENTS

The project comprises of the following four components:

Component 1: Governance and management of marine fisheries and aquatic resources which aims to strengthen marine fisheries and coastal aquaculture governance so as to control over-fishing, maintain or improve stock productivity and enhance associated ecosystem integrity.

Sub-component 1 will focus on coordination and institutional strengthening to ensure fisheries and aquaculture resources are safeguarded in the context of implementing the blue economy framework. Sub-component 2 will be on strengthening existing Fisheries Information System (FIS) to ensure availability of integrated sectoral information to communicate the importance of fisheries and aquaculture sector in broader coastal developments. Sub-component 3 will aim at improving management of inshore/small scale fisheries. Sub-component 4 will aim at improving management of offshore fisheries.

Component 2: Promote investment in marine fisheries and coastal aquaculture which aims to promote efficient utilization and value-addition of the resources by increasing investment in the marine fisheries and aquaculture sector.

Sub-component 1 will focus on improving the business environment and private sector investment in the fishery and aquaculture sector whereas sub-component 2 will focus on modernizing fisheries infrastructure to enhance value addition.

Component 3: Strengthening Marine Fisheries and Aquaculture-based Livelihoods for Coastal Communities which aims to enhance social and economic benefits that coastal communities derive from sustainable use of marine living resources.

Sub-component 1 will be on strengthening capacity of coastal communities on entrepreneurial and organizational skills and sub-component 2 will aim at enhancing access to finance and grant support.

Component 4: This will be on project management which covers establishment and operationalization of a project coordination unit including fiduciary, environmental and social safeguards, and monitoring and evaluation functions.

The project is implemented by the State Department of Fisheries and Blue Economy of the Government of Kenya (GoK).

OBJECTIVE AND SCOPE OF THE ASSIGNMENT

The objective of the consultancy is to provide technical assistance to project preparation advance team and to increase efficiency in procurement, management of contracts and records management under PPA. The procurement consultant will assist in preparation of Project Procurement Strategy for Development (PPSD) for the proposed Kenya marine fisheries and socio-economic development project (KMFSEDP) under preparation. The procurement consultant will also support the achievement of value for money with integrity in achieving the project development objectives through;

- a) Ensuring the proper and speedy implementation of the project by deploying agreed procurement regulations and effective use of available resources in accordance with the world Bank's and Government of Kenya (GOK) procurement Regulations and procedures
- b) Manage and monitor the project procurement activities using the bank's Systematic Tracking of Exchanges in Procurement (STEP)
- c) Supporting and strengthening of structures for procurement implementation and management in the project preparation advance team

DETAILED DESCRIPTION OF TASKS

The procurement expert will guide the implementation team in all procurement activities planned under the Project preparation advance (PPA) funded by World Bank in compliance with the World Bank Procurement Regulations for Borrowers and as appropriate with GOK procurement regulations. Specifically:

- Observe, understand and implement all the project documents consistent with the Financing Agreement
- Assist in the preparation, consolidation and monitoring of Procurement Plans
- Provide support in developing requests for bids (IFB), requests for expressions of interest (ROEI) and Terms of Reference (TOR) for all procurement activities
- Assist in preparation of procurement documents for Goods, Works and Non-consulting services and Request for Proposals in conformance with the World Bank Regulations as well as the GoK procurement regulations, where applicable
- Assist in the preparation of evaluation criteria, templates, contract agreements including the administration and management of performance guarantees, advance payment guarantee, insurance, liquidated damages, contract execution schedule, payments, delays, compensation events, contract extension, quality control, disputes, claims parties' obligations, guidelines and procedures
- Ensure quality of Procurement Documents, evaluation reports, contract documents before they are submitted to the World Bank for review and Clearance
- Assist in drafting, signing and monitoring of contract/Agreements.
- Assist in the preparation and submission of procurement status reports and procurement performance reviews and reporting

- Support the agencies in the handling of technical, commercial and legal aspects of procurement at all stages of the project cycle
- Provide operational advice to the agencies on concepts, policies and procedures for procurement of goods and services and selection of consultants
- Support the team to complete a Project Procurement Strategy for Development (PPSD), as part of the Project preparation process and must be completed prior to loan negotiations with the Bank. A PPSD is a structured, analytical approach that is designed to support procurement planning with the aim of developing the right procurement approach that enables Borrowers to achieve value for money with integrity in delivering sustainable development.

EXPECTED DELIVERABLES

The Procurement consultant will be expected to produce the following outputs during the period of the consultancy:

- a. An *Inception Report* provided seven days after commencement of assignment
- b. A *Monthly Progress Report* submitted to implementation team and the World Bank throughout the assignment
- c. PPSD report that summarizes initial procurement plan, risk management plan and contract management plan to support the successful implementation of the project
- d. Day-to-day procurement related activities in accordance with the approved Procurement Plan.
- e. Any other activity assigned to him/her by the PC.

ASSIGNMENT PERIOD

The expected duration of the consultancy is one year (twelve months) including an initial six months' probation period, with a possibility of contract extension for a further one year subject to satisfactory performance and business needs. The assignment is expected to commence January 2018.

REPORTING, ACCOUNTABILITIES AND LOCATION

The Expert will be based at State Department of Fisheries and the Blue Economy offices and will report to Acting Interim Director General of KeFS (project coordinator) and work closely with the World Bank Procurement Team for guidance and advice.

QUALIFICATIONS AND EXPERIENCE REQUIRED

(i) Education

- Post-graduate degree qualification in Supply Chain Management, Statistics, Business Law, Finance, Accounting, Economics or a relevant discipline.
- Bachelors in business related degree, in Supply Chain Management, Statistics, Business Law, Finance, Accounting, Economics or a relevant discipline

- Final diploma from chartered institute of purchasing and supply (CIPS), or final diploma in supply chain management from a recognized institution
- A member of a professional institution such KISM, or CIPS

(ii) Work Experience

- The Procurement Expert will have not less than 8 years continuous experience in the public sector and demonstrated experience in GoK and donor funded projects and capacity building.
- Experience and knowledge in procurement procedures and legislations of the Government of Kenya will be required. Minimum experience in the last 3 years in procurement and contract management in the public sector for large donor/GoK funded project.
- Must have good knowledge of procurement policies and procedures of multilateral financial institutions especially the World Bank as well as good knowledge of the institutional, technical, and commercial aspects of procurement in line with the Public Procurement and Asset Disposal Act, 2015 and other relevant legislation, policies, manuals, and guidelines.

(iii) Competencies

- Proven track record in working effectively within multidisciplinary teams.
- Computer proficiency in standard computer office applications
- Excellent communication, interpersonal and team working skills
- Excellent oral and written skills in English and Kiswahili
- Knowledge and experience in designing and conducting training.

INPUTS PROVIDED BY THE CLIENT

The client shall be responsible for the provision of office space and furniture, and supporting office equipment. The client shall include the consultant in all its procurement arrangements concerning field visits and study tours, as applicable. All such inputs shall be approved by the KMFSEDP Coordinator. Where travelling individually on programme duties, expenses will be incurred and reimbursed accordingly, in accordance with GOK procedures. All individual travel shall be approved by the KMFSEDP Co-coordinator.

TERMS OF PAYMENT

Payment will be made monthly at the end of each month upon the submission and approval of timesheet. (time -based contract).

SELECTION METHOD

The consultant selection will follow the World Bank’s Procurement Regulations for Investment Project Financing (IPF) Borrowers for Individual Consultants.